

**Opening, Call to Order, Roll Call, Approval of Agenda, Approval of Minutes, Formal Public Comment, Committee Reports from State Board Members, Update from Executive Director, Update on Literacy Campaign Efforts, Legislative Update for Discussion and Action, Secretary's Report**

The May 18<sup>th</sup> State Board of Education meeting was called to order at 1:02 p.m. by President Gray. The following members of the State Board were present: Teri Quinn Gray, President; Nina Lou Bunting, Vice President; G. Patrick Heffernan; Barbara B. Rutt; and Dr. Terry M. Whittaker. Secretary of Education Susan S. Bunting was present to serve as the Executive Secretary for the State Board, and the Board's Executive Director, Donna Johnson, was also present.

The agenda was approved as amended. It was explained that the agenda was amended on May 15<sup>th</sup> to change the Appoquinimink appeal from an information item to an action item. A motion was made by Mrs. Bunting and seconded by Dr. Whittaker to approve the agenda as amended. The motion carried unanimously by voice vote.

The minutes of the Board's regular meeting of April 20, 2017 were distributed prior to the meeting. A motion was made by Mrs. Bunting to approve the minutes of the Board's regular meeting. The motion was seconded by Dr. Whittaker and carried by voice vote. Mrs. Rutt abstained.

The minutes of the Board's special meeting of May 2, 2017 were distributed prior to the meeting. A motion was made by Mrs. Rutt to approve the minutes of the Board's special meeting. The motion was seconded by Dr. Whittaker and carried unanimously by voice vote.

**Public Comment**

One individual signed up to address the State Board during Public Comment. Kevin Ohlandt provided comment on House Bill 60, noting that the State Board is opposed to this legislation. He stated that the bill provides uniform procedures for a student who is opting out and asked the Board to reconsider its position on the legislation. Mr. Ohlandt stated that the group Parent Coalition for Student Privacy has developed a tool kit and suggested the Department and State Board review it for recommendations to improve the student privacy process in Delaware.

Dr. Gray stated that State Board of Education will be revising its public comment policy to allow public comment on action items throughout the meeting and general comments at the end of the meeting. Once the public comment policy is revised, it will be placed in the Procedures Manual. Ms. Johnson noted that the Procedures Manual was recently updated to include the Board's Policy Development process and has also posted the Board approved Public Education Positions on its website.

## **Committee Reports and Executive Director's Update**

Board members highlighted their monthly activities. Dr. Whittaker, Mrs. Bunting and Mrs. Rutt attended the Board's special meeting. Mrs. Bunting attended the meeting with the Joint Legislative Oversight and Sunset Committee (JLOSC). Mrs. Rutt attended the Legislative Committee meeting of the Delaware School Boards Association. She noted that the Committee discussed the taxation process and its effect on local districts and referendums.

Ms. Johnson highlighted a few of her monthly activities including the special Board meeting and the JLOSC meeting. She pointed out a recent publication of the National Association of State Boards of Education that highlights states participating in the performance standards grant. Delaware is one of the five grant states. Mrs. Bunting complimented Ms. Johnson for all her hard work in keeping the State Board and members of the public up to date on the latest educational issues.

Dr. Gray noted that she also attended the JLOSC. The State Board has responded to the recommendations of the Committee, and it was the decision of the Committee to carry over the State Board into next year to allow for an update on the implemented procedure changes in January 2018. Ms. Johnson explained that legislation will be drafted and introduced that addresses the recommendations of the Committee including changes to public comment, location of State Board of Education regular meetings, and the addition of two non-voting members.

In reference to the State Board's Literacy Campaign, Ms. Johnson stated that the Governor's Office is interested in working with stakeholders to help improve literacy in the state and will be helping to coordinate initiatives. The Board is continuing to partner with the United Way on launching the Campaign for Grade Level Reading Campaign.

## **Legislative Update**

Ms. Johnson reviewed the updated overview of filed legislation, which included the discussions and actions taken to support or oppose pieces of legislation at the May 2<sup>nd</sup> State Board Special Meeting. Legislation was just introduced that was a coordinated effort between several educational stakeholder groups and is HS 1 for House Bill 143. House Substitute 1 to House Bill 143 removes the general knowledge assessment and removes the provisional license, but it does continue the requirement of passing a performance assessment and content readiness assessment and four years of mentoring to new teachers. A motion was made by Dr. Whittaker to table taking a position on this legislation until the end of the meeting to allow ample time for Board members to read the legislation. The motion was seconded by Mr. Heffernan and carried unanimously by voice vote.

## **Secretary's Report**

Secretary Bunting updated the State Board on the budget challenges of this year and highlighted her school visits from the last month. Dr. Bunting also accompanied the Governor to several events and recognitions in the State.

## **Talent Practices Report**

The Board received the Talent Practices Report from Clair Robertson-Kraft from Impact ED. The 2016 Delaware Excellent Educators Report is an analysis of educator recruitment, hiring, and selection in Delaware schools. Impact ED at the University of Pennsylvania was commissioned by the Department to gather information on talent practices across the state. All nineteen school districts responded as well as ten charter schools. Ms. Robertson-Kraft noted there was a slight increase in early hiring by districts. Charter schools are more inclined to hire in May while local districts are more inclined to hire in August. The report provided recommendations on teacher hiring, teacher recruitment, teacher selection, and teacher effectiveness.

The Board recessed from 2:18 p.m. to 2:31 p.m.

## **Educators as Catalysts Showcase of Innovation – Ed Prep Programs**

Tyler Wells, and Betty Wyatt-Dix from Wilmington University highlighted the Year Long Residency Program. The program was piloted in 2014-2015 in the Red Clay, Capital and Indian River School Districts. The candidates in the program receive a one year experience as a co-teacher. Embedded coursework is included in the experience as well as an evaluation using DPAS II. Mr. Wells commented that one of the benefits of the Year Long Residency Program is a higher retention rate. Candidates are also deemed “learner ready” while mentors in the program receive a “renewed vision.” Julie Powell from the Capital School District was a program participant and provided insight based on her personal experience as a district mentor.

## **Annual College Success Report**

Michael Watson and Shana Payne presented the Annual College Success Report. Data the Board received indicates the percentage of students applying to college and completing the FAFSA application has increased since 2014. The percentage of students participating in dual enrollment programs is also increasing. Mr. Watson noted that remediation rates have not changed; 41% of Delaware high school graduates enter a Delaware college unprepared for college level courses. In an effort to reduce that percentage, the Department will be reviewing the difference in curriculum delivery and student expectations for college prep courses, AP courses, honors courses, and dual enrollment.

The Board recessed from 3:49 p.m. to 3:57 p.m.

## **Department Regulations**

Tina Shockley presented the Department regulations before the Board.

Regulation 106A – Teacher Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised – For Discussion

Regulation 107A – Specialist Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised – For Discussion

Regulation 108A – Administrator Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised – For Discussion

The Secretary of Education seeks the consent of the State Board of Education to amend these regulations. These amendments are to align with changes made during the second session of the 148<sup>th</sup> General Assembly by House Bill 399 as amended by House Amendment 1 and Senate Amendments 1 and 2, and by Senate Bill 199, as well as other process changes identified through implementation. These amendments include 1) providing for equal weighting of the DPAS II components; 2) eliminating a required annual assessment; and 3) adding language related to new provisional license. Laura Schneider from the Teacher Leader Effectiveness Branch was present to respond to questions. These amendments will be advertised and action proposed at the June State Board meeting.

Regulation 503 Instructional Program Requirements – For Action

This regulation is being amended to clarify instructional program requirements and to demonstrate alignment to adopted standards in each content area as adopted by the Department of Education. Michael Watson joined Ms. Shockley to respond to questions from the Board. A motion was made by Mrs. Rutt to approve Regulation 503 as presented. The motion was seconded by Mrs. Bunting and carried unanimously by voice vote. The State Board signed the appropriate Order.

Regulation 1009 DIAA – For Action

This regulation is being amended in consultation and cooperation with the Delaware Interscholastic Athletic Association. The regulation is being amended to add sections that specify the purpose of the transfer, passing work, and years of participation eligibility rules; clarify the transfer and years of participation rules as to eighth grade students who are eligible to participate in interscholastic athletics at the high school level; organize existing sections of the transfer rule for clarity; change the time period for the subsection that allows a student who has previously participated in interscholastic athletics to transfer one time from the first year of eligibility to the first and second years of eligibility; change the transfer options permissible under the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act, to conform to federal and state law; and eliminate the prohibition against practicing if a student is ineligible under the passing work rule.

Tom Neubauer from DIAA and Laura Makransky, DIAA's Deputy Attorney General, were present to respond to questions. There was discussion concerning academic requirements for practicing with a team versus playing for a team and the rationale of the DIAA Board for the regulation change. A motion was made by Dr. Whittaker to approve Regulation 1009 as presented. The motion was seconded by Mr. Heffernan. The motion did not pass with a vote of 3 in favor of the motion (Mrs. Bunting, Dr. Whittaker, Dr. Gray) and 2 against the motion (Mr. Heffernan and Mrs. Rutt). Dr. Gray asked for a short recess to confer with legal counsel on the process of the action of the motion. The Board recessed from 4:28 p.m. to 4:32 a.m. DIAA was asked to provide additional data to present to the State Board to support the proposed amendment. A motion was made by Mr. Heffernan asking DIAA for the additional information and for placement of the

regulation on the June meeting agenda. The motion was seconded by Mrs. Rutt and carried unanimously by voice vote.

It was noted that there were also regulations for the Board's information that only require approval by the Secretary of Education.

## **Charter Schools**

Denise Stouffer presented the Charter items to the State Board. Academia Antonia Alonso, Early College High School, First State Montessori Academy, Thomas Edison Charter School and Sussex Academy are all up for renewal this year. The Board received the proposed renewal timeline. The Board learned that the Department has contacted the parents of students currently attending Prestige Academy, confirming where these students will be attending next year.

## **Professional Standards Board**

Chris Kenton, Executive Director of the Professional Standards Board, presented the agenda items for the Professional Standards Board.

### Regulation 1507 Alternative Routes to Teacher Licensure and Certification Program – For Discussion

This regulation shall apply to the Alternative Routes for Teacher Licensure and Certification Program, pursuant to 14 Del. C. §§1260 through 1264. It was necessary to review and amend this regulation to comply with Code changes based around Provisional Licensure. Mr. Kenton noted that passage of House Substitute 1 to House Bill 143 will require this regulation to be revised.

### Regulation 1510 Issuance of Provisional and Initial Licenses – For Discussion

This regulation shall apply to the issuance of a Provisional License for educators, pursuant to 14 Del. C. §1210, and an Initial License for educators, pursuant to 14 Del. C. §1210 14 Del. C. §1210A. It was necessary to review and amend this regulation to comply with Code changes based around Provisional Licensure. Mr. Kenton again noted that passage of House Substitute 1 to House Bill 143 will require this regulation to be revised.

## **Appeals and Reviews**

### **Executive Session**

#### Student v. Appoquinimink School District 2017-03 - For Action

A motion was made by Mrs. Rutt that the State Board go into Executive Session for the purposes of considering this student appeal and the student's pupil file. The motion was seconded by Mrs. Bunting and carried unanimously by voice vote. The Board entered into Executive Session at 4:47 p.m.

Deputy Attorney General Valerie Dunkle provided the State Board with the appropriate information on the appeal.

The Board returned to open session at 5:04 p.m.

A motion was made by Mr. Heffernan to accept the proposed Decision and Order of the Hearing Office and remand the appeal back to the District. The Board requested in its motion that the district rehear the matter within 30 days and requested confirmation from the district that the new hearing was held. The motion was seconded by Mrs. Bunting and carried unanimously by voice vote. The Board signed the appropriate Order.

Ms. Dunkle provided the State Board with an update on the other appeals listed on the agenda.

### **Legislative Update**

The Board returned to the tabled item from earlier in the meeting on House Substitute 1 to House Bill 143. The Board concurred that as part of its new process it may need to take action at its monthly meetings on its views of proposed legislation. Ms. Johnson highlighted House Substitute 1 for House Bill 143 for the Board. A motion was made by Mr. Heffernan that the State Board support House Substitute 1 to House Bill 143. The motion was seconded by Mrs. Bunting and carried unanimously by voice vote.

### **Adjournment**

There being no further business, a motion was made by Mrs. Bunting to adjourn the meeting. The motion was seconded by Dr. Whittaker and carried unanimously by voice vote.

The meeting adjourned at 5:29 p.m.

Respectfully Submitted;

Susan S. Bunting, Ed.D.  
Executive Secretary and  
Secretary of Education

**Appeals and Reviews – Executive Session**

**Student v. Appoquinimink School District 2017-03 - For Action**

Since school disciplinary matters are confidential, the Board entered into Executive Session pursuant to 29 *Del. C.* § 10004(b)(7). The motion was made by Mrs. Rutt, seconded by Mrs. Bunting and carried unanimously. The Board went into Executive Session at 4:47 p.m. The Board discussed the appeal with Deputy Attorney General Valerie Dunkle, who highlighted the appeal.

Upon motion, the Board returned to open session at 5:04 p.m.

Respectfully Submitted;

Susan S. Bunting, Ed.D.  
Executive Secretary and  
Secretary of Education